

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

SEPTEMBER 6, 2005

COUNTY COMMISSIONERS

**Jennifer Hill, Chairman
Catherine C. Hanson, Vice Chairman
Robert A. Pool, District #2
Debbie Stivender, District #3
Welton G. Cadwell, District #5**

**Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
James C. Watkins, Clerk to the Board**

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

September 6, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

July 12, 2005	Regular Meeting
July 25, 2005	Special Meeting – Budget Workshop
July 26, 2005	Regular Meeting
August 9, 2005	Regular Meeting – Board Retreat

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 9):

1. Acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
2. Contractor Bonds – New, Rider and Cancellation - Approval.
3. Monthly Distribution of Revenue Traffic/Criminal Cases for the Month Ending July 31, 2005. Disbursements due to Board - \$141,697.23; Same period, last year - \$70,998.74 – Acknowledge receipt.
4. 2004 Annual Report and 2004-2009 Five-Year Plan from the Lake County Water Authority, in accordance with Chapter 29222, Laws of Florida – Acknowledge receipt.

5. Notice of Hearing from the Florida Public Service Commission to Progress Energy Florida, Inc., Florida Industrial Power Users Group, Florida Retail Federation, AARP, Office of Public Council, White springs Agricultural Chemicals, Inc., The Commercial Group, Buddy L. Hansen/Sugarmill Woods Civic Association, Inc., and All Other Interested Persons – Docket Number 050078-EI. Petition for Rate Increase By Progress Energy Florida, Inc., Issued: August 2, 2005.

Notice is hereby given that a hearing will be held before the Florida Public Service Commission in the above referenced docket, at the following time and place: Wednesday, September 7, 2005, 9:30 a.m., Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida. September 8-9, 2005, and September 12-16, 2005, has also been reserved for continuation of the hearing, if needed.

Any person requiring some accommodation at this hearing, because of a physical impairment, should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission, by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD) – Acknowledge receipt.

6. Report Number 2006-007, a Performance Audit of County Value Adjustment Boards from July 1, 2003 through June 30, 2004, from the Auditor General, State of Florida, Tallahassee, Florida – Acknowledge receipt.
7. Received The Estates at Cherry Lake Community Development District Proposed Budget Fiscal Year 2005-2005 (June 13, 2005 – September 30, 2005); and Proposed Budget Fiscal Year 2005-2006 (October 1, 2005 – September 30, 2006) - Acknowledge receipt.
8. Received the Southwest Florida Water Management District's Agenda for the Governing Board Meeting August 30 – 31, 2005, 9:00 a.m. – Acknowledge receipt.
9. Received from the City of Umatilla the following Ordinances – Acknowledge receipt:

Annexation Ordinance 2005-C – Property Owned by Paul W. Bryan, II

Transmittal Ordinance 2005-C-1 – Change Land Use Plan from Lake County Urban to City of Umatilla General Commercial – Property Owned by Paul W. Bryan, II

RECOMMENDATION: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 3 through 24)

A. Budget

Tab 3

1. Budget transfer – County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$40,000.00 from Professional Services (\$10,000.00), Contractual Services (\$5,000.00), Communications (\$15,000.00), Volunteer Recognition (\$5,000.00) and Fire Station Repair and Maintenance (\$5,000.00) to Operating Supplies. Additional funds are needed to increase the purchase order for fuel to cover a deficit that is a result of the increase in fuel and oil prices. Funds available in the accounts listed.

RECOMMENDATION: Approval

2. Budget transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division. Transfer \$225,600.00 from Building Maintenance – Repair and Maintenance to Energy Management – Overtime (\$3,500.00), Utility Services (\$214,600.00), and Repair and Maintenance (\$7,500.00). Funds needed for additional overtime due to building projects that were not planned during the budget process that required after hours assistance for outside contractors. Funds needed for utility services, as utility rates have increased at an unpredictable rate this year. Funds also needed to provide mechanical work for building projects that were not planned during the budget process. Funds available in Building Maintenance – Repair and Maintenance, as the carpet in the Administration Building will not be replaced this year.

RECOMMENDATION: Approval

3. Budget transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division. Transfer \$50,000.00 from Repair and Maintenance to Overtime (\$40,000.00), Rentals and Leases (\$5,000.00), and Office Supplies (\$5,000.00). Funds needed for additional overtime due to building projects that were not planned during the budget process that required after hours assistance for outside contractors, and other work that cannot be accomplished during the hours the buildings are occupied. Funds needed for Rentals and Leases, as the Mail Receiving temporary building rental was not budgeted. Funds also needed for Office Supplies, due to expenditures for open office systems for unplanned department changes that were directed to be paid out of Building Maintenance funds. Funds available in Repair and Maintenance, as the carpet in the Administration Building will not be replaced this year.

RECOMMENDATION: Approval

4. Budget transfer – Renewal Sales Tax Capital Projects Fund, Department of Public Works. Transfer \$2,400,000.00 from Roads to Special Reserve – Facilities. On June 7, 2005, the Board of County Commissioners approved the transfer of \$2,400,000.00 from the Renewal Sales Tax Capital Projects Fund Special Reserve for additional funding to complete particular road projects. Since that time accounting has been changed to accommodate the transfer. The original transfer can be reversed, and used for facilities projects.

RECOMMENDATION: Approval

5. Budget transfer – General Fund, Constitutional Offices/Sheriff. Transfer \$95,021.00 from Contingency – Sheriff (\$83,045.00); Law Enforcement – Operating (\$9,388.00); and Juvenile Court (\$2,588.00) to Law Enforcement – Equipment (\$83,045.00); Law Enforcement – Equipment (\$9,388.00); and Corrections – Equipment (\$2,588.00). The Sheriff is requesting this transfer pursuant to F.S. 30.49. Sufficient funds are available in the accounts listed.

RECOMMENDATION: Approval

6. Budget transfer – General Fund, Department of Community Services, Administration Division. Transfer \$100,000.00 from Medicaid Nursing Home to LifeStream Behavioral Center. Additional funds are needed to LifeStream Behavioral Center to cover the costs associated with the provision of mental health services. Funds available in Medicaid Nursing Home.

RECOMMENDATION: Approval

7. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004-2005 in the amount of \$7,200.00 deposited into Disaster Volunteer Management Program and provide appropriations for the disbursement for Personal Services (\$5,710.00), Travel and Per Diem (\$750.00) and Office Supplies (\$740.00). Funds were received from Volunteer Florida, the Governor's Commission on volunteerism and community service, and will provide appropriations for activities pertaining to the disaster volunteer management initiative.

RECOMMENDATION: Approval

8. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004-2005 in the amount of \$200.00 deposited into Cultural Affairs Special Projects and provide appropriations for the disbursement for Promotions/Special Events. Funds were received from VSA Arts of Florida education program support grant funding and will provide appropriations for the Start with the Arts Program.

RECOMMENDATION: Approval

9. Resolution to amend the Hurricane Housing Recovery Program Trust Fund in order to receive unanticipated revenue for Fiscal Year 2004-2005 in the amount of \$209,113.00 deposited into Hurricane Housing Recovery Program and provide appropriations for the disbursement for Personal Services (\$3,888.00), Operating Supplies (\$5,225.00), and Other Grants and Aids (\$200,000.00). Funds were received from the State Hurricane Housing Recovery Grant funding and will provide appropriations for hurricane housing recovery.

RECOMMENDATION: Approval

Tab 4 Approval and authorization for the Chairman to sign a Resolution providing for certification of the assessment rolls for the Greater Hills Municipal Service Benefit Unit, Greater Groves Municipal Service Benefit Unit, Greater Pines Subdivision, Picciola Island Subdivision, Valencia Terrace Subdivision, and Village Green Subdivision; providing for certified copies; providing for effect of adoption of Resolution; and providing for an effective date.

RECOMMENDATION: Approval

B. Community Services

Tab 5 Approval and signature of grant agreement and accompanying forms for the Fiscal Year 2005-2006 Library Services and Technology Act (LSTA) Grant Agreement for Patron Self Checkout.

RECOMMENDATION: Approval

Tab 6 Approval to submit an American Library Association (ALA) grant application and to authorize signature on grant documents for the *Let's Talk About It: Jewish Literature Grant*.

RECOMMENDATION: Approval

Tab 7 Approval to advertise an Ordinance for the Lake County Citizens' Commission for Children's request to change their name to the Lake County Children's Services Council.

RECOMMENDATION: Approval

C. Economic Development and Tourism

Tab 8 Approval of an Agreement for television advertising service provided by WFTV, Inc. for Fiscal Year 2005-2006 in the amount of \$122,910.00.

RECOMMENDATION: Approval

D. Employee Services

Tab 9 Approval for payment of invoice from Shaw Environmental, Inc., concerning an environmental clean-up after a vehicle accident on State Road 33, in the amount of \$20,909.89, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

Tab 10 Approval and signature of re-activation contract between CareerBuilder and Lake County Employee Services for service dates from October 3, 2005 through October 2, 2006.

RECOMMENDATION: Approval

E. Environmental Services

Tab 11 Approval of Resolution establishing the Board's endorsement of IBINI TERA (also known as the St. Johns River Celebration) to be held on September 17, 2005.

RECOMMENDATION: Approval

F. Growth Management

Tab 12 Approval to cancel the Interlocal Agreement with the Town of Astatula concerning building inspections and plan review.

RECOMMENDATION: Approval

G. Procurement Services

Tab 13 Approval and execution of the Contract with HNTB Corporation for the engineering design services for Hartwood Marsh Road, South Hancock Road and Hartle Road (PD&E Study) in the amount of \$1,648,770.02.

RECOMMENDATION: Approval

Tab 14 Approval and authorization for Procurement Services to waive bid requirements and procure the renovation of the existing security system at the Lake County Detention Center, Prelude Section, for the Norment Security Group.

RECOMMENDATION: Approval

Tab 15 Approval to declare the times on the attached lists surplus to County needs; authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records; and authorize the Interim Procurement Services Director to sign the vehicle titles.

RECOMMENDATION: Approval

Tab 16 Approval to award the contract for Disaster Debris Removal Management & Monitoring Services for Lake County, Florida to R. W. Beck, in accordance with RFP Number 05-074.

RECOMMENDATION: Approval

H. Public Safety

Tab 17 Approval and execution of the Hazards Analysis Grant Agreement for Fiscal Year 2005-2006 between the State of Florida, Department of Community Affairs and the Lake County Board of County Commissioners.

RECOMMENDATION: Approval

Tab 18 Approval of the Global Signal Lease for the Sugarloaf Number 2 Tower Site that provides backup radio coverage for the countywide radio system.

RECOMMENDATION: Approval

I. Public Works

Tab 19 Approval and signature on the Resolution recognizing observance of "Put the Brakes on Fatalities Day" on October 10, 2005.

RECOMMENDATION: Approval

Tab 20 Approval and signature on the Certified Budget for Arthropod Control for Fiscal Year 2005-2006 in the amount of \$38,025.00.

RECOMMENDATION: Approval

Tab 21 Approval and authorization to accept the final plat for Verde Ridge Unit 1 and all areas dedicated to the public as shown on the Verde Ridge Unit 1 final plat; accept a Letter of Credit in the amount of \$6,886,597.32; and execute a Developer's Agreement for Construction of Improvements between Lake County and Pulte Home Corporation. Verde Ridge Unit 1 consists of 212 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 22 Approval and authorization to accept the final plat for Verde Ridge Unit 2 and all areas dedicated to the public as shown on the Verde Ridge Unit 2 final plat; accept a Letter of Credit in the amount of \$9,694,672.79; and execute a Developer's Agreement for Construction of Improvements between Lake County and Pulte Home Corporation. Verde Ridge Unit 2 consists of 190 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 23 Approval and authorization to accept the final plat for Betty's Place and all dedicated to the public as shown on the Betty's Place final plat; accept a Letter of Credit in the amount of \$12,441.00; and execute a Developer's Agreement for Construction of Improvements between Lake County and William Stosbery. Betty's Place consists of 3 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 24 Approval and authorization to release a Performance Bond in the amount of \$2,548,580.76; accept a Maintenance Bond in the amount of \$231,689.16; and execute a Developer's Agreement for Maintenance of Improvements between Lake County and GINN-LA Pine Island Ltd., LLLP, all related to County Road 455 Improvements and Bella Collina. These subdivisions are located in Commission Districts 2 and 3.

RECOMMENDATION: Approval

V. PRESENTATIONS/PERSONAL APPEARANCES

A. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter

1. PRESENTATION

PRESENTATION: Proclamation Honoring the South Lake High School Girls Softball Team

B. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. BOARD/COMMITTEE PRESENTATIONS

PLAQUES

Comprehensive Health Care Committee & Human Services Grant Advisory Committee

Patricia Price for service on the Comprehensive Health Care Committee from 1994-2005 and service on the Human Services Grant Advisory Committee from 1997-2005

Comprehensive Health Care Committee

Richard Wooten for service from 1998-2005

Library Advisory Board

Chris Bell for service from 1999-2005

Parks and Recreation Advisory Board

Karen Ellis for service 1999-2005

CERTIFICATES

Citizens' Commission for Children

Dr. Mary Anderson for service 2002-2005

2. EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Michael J. Moran, Field Forensic Investigator, Medical Examiner

George A. Dehart, Mechanic, Public Works/Special Services/Fleet Maintenance

Scott N. Amey, Senior Library Assistant, Community Services/Library Services/East Lake Library

Raymond W. William, Senior Forensic Investigator, Medical Examiner

Denise L. Gainer, Public Education Specialist, Environmental Services/Solid Waste Administration

Larry L. Higgins, Mechanic, Public Works/Special Services/Fleet Maintenance

Daniel D. Baldee, Senior Maintenance Specialist, Facilities Development & Management/Facilities Management/Facilities Maintenance

Jeffrey C. Meli, Firefighter/EMT, Public Safety/Fire and Rescue

Thomas H. Eicher, Environmental Inspector, Environmental Services/Solid Waste Administration

Amy Teachout, Employee Benefits Coordinator, Employee Services/Risk & Benefits Management

Robin J. Bridges, Library Assistant, Community Services/Library Services/Marion Baysinger Memorial

Joseph P. Davey, Equipment Operator IV, Environmental Services/Solid Waste Disposal Operations

Presentation of Award to Employee with Ten Years of Service

James A. Brown, Survey Party Chief (Non-Registered), Public Works/Engineering/Survey/Design

Presentation of Award to Employees with Fifteen Years of Service

Robert C. Baker, Equipment Operator III, Public Works/Road Operations/Maintenance Area III

William D. Nicodem, Fleet Manager, Public Works/Special Services/Fleet Maintenance

Douglas L. Conway, Capital Projects Manager, Facilities Development & Management/Facilities Development

C. PRESENTATIONS – 9:15 A.M. or as Soon Thereafter

1. PRESENTATIONS

PRESENTATION: Review of Lake County's Health Care Profiles, Summary of the WellFlorida Council's Activities; Report on Direct Care Services Provided to County Residents; and Provide Updated Information on Health Care Legislation by Jeff Feller, Resource Development Director, WellFlorida Council, formerly the North Central Florida Health Planning Council *(Rescheduled from August 16, 2005 BCC Meeting)*

Tab 25 **PRESENTATION:** Proclamation declaring September 2005 as Teen Court Month to the Teen Court Coordinator

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 26 through 27)

A. Budget

Tab 26 Consideration of appeal of denial for refund of school impact fees paid on two single-family home permits by Highland Homes of Clermont, in accordance with Section 22-17 of the Lake County Code.

RECOMMENDATION: Disapproval

B. Public Works

Tab 27 Approval to submit a Florida Recreation Development Assistance Program (FRDAP) Grant application for a grant of \$200,000.0 for Phase I development of Northeast Community Park in the northeast area of Lake County; approval to commit \$200,000.00 as matching funds to support this grant and approval to provide \$400,000.00 up front project money for which \$200,000.00 would be reimbursed upon completion, if the grant is awarded to Lake County; approval to add Northeast Community Park Phase II development to the Five Year Capital Improvement Program for action within two years; and approval for the County Manager to forward a letter to the Department of Environmental Protection, Division of Recreation and Parks certifying that the Five Year CIP schedule is officially adopted and a funding source indicated.

RECOMMENDATION: Approval

VII. PUBLIC HEARINGS

A. PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARINGS

Tab 28 **PUBLIC HEARING:** Final Assessment Resolution for
Solid Waste Collection and Disposal

Tab 29 **PUBLIC HEARING:** Final Fire Rescue Assessment
Resolution for Fire Rescue Services

B. PUBLIC HEARING – 5:05 P.M. or as Soon Thereafter

1. PUBLIC HEARINGS

PUBLIC HEARING: First Budget Hearing

VIII. OTHER BUSINESS (Tab 30 through 35)

Tab 30 Approval and execution of Resolution appointing one individual to a
vacant position on the Tourist Development Council to complete an
unexpired term ending December 1, 2008.

Tab 31 Appointment of individual to a vacant citizen-at-large position on the Lake
County Citizens' Commission for Children to complete an unexpired term
ending May 14, 2006.

Tab 32 Appointment of an individual to the vacant District 2 position on the Elder
Council.

Tab 33 Appointment of individuals to vacant positions on the Bicycle/Pedestrian
Advisory Committee.

Tab 34 Appointment of Tom Grimmer as Hospice of Lake & Sumter's *alternate
member representative* on the Comprehensive Health Care Committee.

Tab 35 Appointment of individuals to the Lake-Sumter Metropolitan Planning
Organization (MPO) Citizens' Advisory Committee (CAC).

IX. **REPORTS**

A. **County Attorney** (Tab 36 through 42)

- Tab 36 Approval of letter of renewal for lease agreement for County Health Department, Highway 441 in Mt. Dora.
- Tab 37 Approval of School Impact Fee Agreement between Lake County Board of County Commissioners and Lake Point Senior Apartments Limited Partnership.
- Tab 38 Approval of Joint Stipulation for Settlement and Easement Agreement between Frank A. and Marilyn K. Wright and Lake County relating to the closing of Donmar Road.
- Tab 39 Approval for the Supervisor of Elections to use County Buildings as listed for Polling Places and approval to execute Memorandums of Agreement.
- Tab 40 Approval of Amendment to Purchase Agreement between L. L. Sworn, Inc. and Lake County to purchase a parcel of property located off County Road 473 to extend the closing date from on or before October 1, 2005 to October 31, 2005.
- Tab 41 Approval of Resolution for Reimbursement of Certain Costs relating to the Acquisition of Certain Lands and Improvements **and** Resolution for Reimbursement of Certain Costs relating to the Capital Improvements Within Lake County.
- Tab 42 Discussion of Sexual Predators or Offenders distance requirements.

B. **County Manager**

C. **Commissioner Hill – Chairman and District #1**

Discussion of County Attorney and County Manager evaluations. *(Backup to be distributed separately)*

D. **Commissioner Pool – District #2**

E. **Commissioner Stivender – District #3** (Tab 43)

- Tab 43 Approval and execution of Proclamation designating Family Day as September 26, 2005.

F. Commissioner Hanson – District #4 (Tab 44)

Tab 44 Approval and execution of Resolution protection the private property rights of the residents of Lake County relating to Eminent Domain Legislation.

G. Commissioner Cadwell – District #5

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

SEPTEMBER 13, 2005

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

SEPTEMBER 19, 2005

5:00 P.M. PUBLIC HEARING: Lake County Public Schools (PH#50-05-2) to be held at Minneola City
or as Soon Hall, Minneola, FL
Thereafter

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TENTATIVE AGENDA

SEPTEMBER 20, 2005

9:00 A.M. Regular Meeting

5:05 P.M. PUBLIC HEARING: Final Budget Hearing
or as Soon
Thereafter

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TENTATIVE AGENDA

SEPTEMBER 27, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

OCTOBER 4, 2005

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

OCTOBER 11, 2005

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

OCTOBER 18, 2005

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

OCTOBER 25, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

NOVEMBER 1, 2005

9:00 A.M. Regular Meeting